

09/410,414

Official

MS131761.1

6/17/03

REMARKS

Claims 1-14, 18-27, and 29-33 are currently pending in the subject application and are presently under consideration. Favorable reconsideration of the application is requested in view of the comments below.

Applicants' representative acknowledges with appreciation the allowance of dependent claims 15-17, and 28 if recast in independent form to include all limitations of respective base claims and any intervening claims. However, such amendments are believed not necessary in light of the below mentioned deficiencies of the cited art *vis a vis* the claimed invention; but applicants reserve the right to cast such claims into independent form at a later date, if necessary.

I. Rejection of Claims 1-14, 20-27, and 30-33 Under 35 U.S.C. §102(b)

Claims 1-14, 20-27, and 30-33 stand rejected under 35 U.S.C. §102(b) as being anticipated by Barker *et al.* (U.S. Patent 4,739,477). It is submitted that this rejection should be withdrawn for at least the following reasons. Barker *et al.* does not teach or suggest the subject invention as recited in the claims.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference." *Verdegaal Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the . . . claims." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Independent claims 1, 6, 12, 20, 23, 26 and 30 relate to dynamic pagination of a predetermined segment of a document - these claims recite processing and/or entering and/or pouring a *predetermined segment* of a document. Furthermore, claims 1, 6, 20, 23, 26 and 30 recite *determining a plurality of page breaks within a predetermined segment* and claim 12 recites a method for *dynamically paginating a segment of a document*. By acting upon a predetermined segment of a document (as compared to an entire document or substantial portion thereof), the claimed invention overcomes problems associated with limited memory and/or processing speed (particularly for portable devices such as PDAs and cellular phones), since smaller segments of data are processed in connection with pagination. Barker *et al.* does not

09/410,414

MS131761.1

teach or suggest such features of the subject invention. Rather, Barker *et al.* discloses testing for a need to change page break positions after editing a superblock; if a need for changed page break positions is found, then the document is subject to pagination on "the current page and the succeeding pages as necessary." (c.14, L.48-50; See c.12, L.18-43; c.14, L.46-54). Thus, Barker *et al.* teaches pagination of an entire document and/or remainder of a document rather than pagination of a predetermined segment as in applicants' claimed invention.

Additionally, the subject invention contemplates *dynamically paginating* a document as recited in claims 6 and 12. Dynamic pagination provides for rendering of an electronic document in response to the type of display device (e.g. PDA's, palmtop computers, hand-held computers, cellular phones...) to provide an aesthetically pleasing respective document format that is a function of particular device capabilities. Thus, pagination of a given document can vary from device to device that is employed for rendering such document. Barker *et al.* does not teach or suggest *dynamic pagination* in response to display device type, but rather only states a need for pagination in response to editing a superblock.

In view of at least the above, it is readily apparent that Barker *et al.* neither teaches nor suggest applicants' invention as recited in independent claims 1, 6, 12, 20, 23, 26 and 30 (and claims 2-5, 7-11, 13-14, 21-22, 24-25, 27, and 31-33 which respectively depend there from). This rejection should be withdrawn.

## **II. Rejection of Claims 18, 19, and 29 Under 35 U.S.C. §103**

Claims 18, 19 and 29 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Barker *et al.*, in view of Chirokas *et al.* (U.S. Patent 5,111,397). It is submitted that this rejection should be withdrawn for at least the following reasons. The combination of Barker *et al.* and Chirokas *et al.* does not teach or suggest every limitation set forth in the subject claims.

As discussed *supra*, Barker *et al.* does not teach or suggest all of the limitations of independent claims 12 and 26, from which claims 18-19 and 29 respectively depend; and Chirokas *et al.* does not make up for these deficiencies of Barker *et al.* Accordingly, this rejection should be withdrawn.

09/410,414

Official

MS131761.1

6/17/03

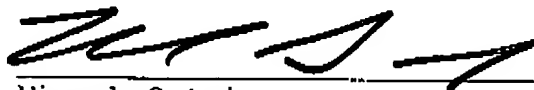
**III. Conclusion**

The present application is believed to be condition for allowance in view of the above amendments and comments. A prompt action to such end is earnestly solicited.

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number listed below.

In the event any additional fees are due in connection with the filing of this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063.

Respectfully submitted,  
Amin & Turocy, LLP



Himanshu S. Amin  
Reg. No. 40,894

AMIN & TUROCY, LLP  
Attention: Himanshu S. Amin  
1900 E. 9<sup>th</sup> Street  
24<sup>th</sup> Floor, National City Center  
Cleveland, Ohio 44114  
216-696-8730 Telephone  
216-696-8731 Facsimile